UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/047,348	03/25/1998	SURESH JEYACHANDRAN	35.C12660	3147

			EXAMINER
5514	7590	06/27/2005	BORLINGHAUS, JASON M

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ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/047,348	JEYACHANDRAN ET AL.
	Examiner	Art Unit	
	Jason M. Borlinghaus	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 November 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>5,7,9,15,17,19,21,23-26 and 28-32</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>5,7,9,15,17,19,21,23-26 and 28-32</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>25 March 1999</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>5/19/04</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/15/2004 has been entered.

Priority

Acknowledgment is made of applicant's claim for priority under 35 U.S.C. 119(a)-(d) based upon an application filed in Japan on 3/24/1997. A claim for priority under 35 U.S.C. 119(a)-(d) cannot be based on said application, since the United States application was filed more than twelve months thereafter.

The United States application was filed one year and one day after the application filed in Japan. The one year date, 3/24/1998, fell on a Tuesday and the US Patent & Trademark Office was available to receive filings on that day.

Please refer to MPEP § 201.13 (F).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating
     obviousness or nonobviousness.

Claims 5, 15 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Huemoeller (US Patent 5,855,006) in view of Cooper (Cooper, Alan. *About Face:*

The Essentials of User Interface Design. IDG Books Worldwide. Foster City, California.

1995. p.88).

Regarding Claim 5, Huemoeller discloses an information-processing apparatus

comprising:

- a receiver that receives an ending instruction from a user for instructing

  the apparatus to terminate (exit) use of the apparatus (program) by the

  user. ("The user can then communicate via a telephone device (not

  shown) associated with the user display terminal PC <u>or can exit this</u>

  <u>program</u> and communicate via keyboard communication using other

  software as is well known in the art." – see col. 8, lines 31 – 34 – It is

  inherent that a receiver can receive an ending instruction from a user if a

  user can terminate the apparatus);

- a search unit that searches for a pending task (event) to be performed by

  the user within a predetermined timeframe (setting the length of time prior

  to this scheduled event). ("In addition, an alarm menu AL is provided to

  enable the user to turn on the alarm function by selecting ("X") "Alarm"

  and setting the length of time prior to this scheduled event the alarm

  should be generated." – see col. 6, lines 35 – 38 – It is inherent in

  activating the alarm, that the system searches for a pending task within a

  predetermined timeframe to determine whether the alarm should be

  activated); and

- a notifier (alarm) that notifies the user of the pending task to be performed

  within the predetermined timeframe when the pending task is found by

  said search unit. (see col. 6, lines 35 – 38 - It is inherent that an alarm is

  generated when the pending task within a predetermined timeframe is

  found by the search unit).

Huemoeller does not teach an information-processing apparatus comprising:

- a search unit that searches for a pending task to be performed by the user

  within a predetermined timeframe <u>when said receiver receives the ending</u>

  <u>instruction from the user.</u>

It is old and well known in the art that software applications are programmed to

generate alerts and dialog boxes upon termination or shutdown of the application such

as with Windows 95 and Microsoft 97, as evidenced by Cooper ("The SAVE dialog is

forced on all users when they ask to close the document or to QUIT or EXIT the program." – see page 88).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Huemoeller by incorporating an alert, as is disclosed by Cooper, to generate a notification of a pending task upon terminating the apparatus in the same manner as existing software generates a notification to save a document upon terminating the apparatus, to ensure that user does not forget a pending task after terminating the apparatus.

Regarding Claim 15, further method claim would have been obvious from apparatus claim, Claim 5, rejected above and is therefore rejected using the same art and rationale.

Regarding Claim 21, further program claim would have been obvious from apparatus claim, Claim 5, rejected above and is therefore rejected using the same art and rationale.

Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huemoeller in view of Cooper, Edgar (US Patent 5,848,395) and Anonymous (Anonymous. *Organizing your work gets more done in less time. Profit-Building Strategies for Business Owners.* Scarsdale. December, 1992. vol. 22, iss. 12. abstract).

Regarding Claim 7, Huemoeller discloses an information-processing apparatus comprising:

- a receiver that receives an ending instruction from a user for instructing

  the apparatus to terminate (exit) a use of the apparatus (program) by the

  user. ("The user can then communicate via a telephone device (not

  shown) associated with the user display terminal PC or can exit this

  program and communicate via keyboard communication using other

  software as is well known in the art." – see col. 8, lines 31 – 34 – It is

  inherent that a receiver can receive an ending instruction from a user if a

  user can terminate the apparatus);

- an inferring unit that infers a destination (geographic location) of a user

  based on a user's schedule. ("Thus, data filters, user preference

  monitoring systems, geographic location determination systems, query

  systems, graphic display generation systems, and the like can be

  incorporated into the integration module IM as a function of the level of

  sophistication the software designer wishes to achieve." – see col. 5, lines

  14 – 19);

- a search unit that searches for a pending task relevant to the description

  of the user. (see figure 5); and

- a notifier that notifies the user of the pending task relevant to the

  description of the user. (see figure 5 – It is inherent that a notifier notifies

  the user of the pending task relevant to the description of the user

  following the search).

Huemoeller does not teach an information-processing apparatus comprising:

- an inferring unit that infers a destination of a user based on a user's schedule <u>when said receiver receives the ending instruction from the user;</u>

- a search unit that searches for a pending task <u>relevant to the inferred destination of the user when said receiver receives the ending instruction from the user;</u> and

- a notifier that notifies the user of the pending task <u>relevant to the destination of the user.</u>

Edgar discloses an information-processing apparatus comprising:

- an inferring unit that infers a destination (specified region) of a user based on a user's schedule. ("An appointment server is provided for offering appointments at specified times, using the table to check for availability of operatives in specified regions at specified times, and for inserting new jobs in the routes to reflect booked appointments." – see abstract – It is inherent that the system infers a destination of a user based on a user's schedule during the process of inserting new jobs at the same destination).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the description field, as disclosed by Huemoeller, to allow for any data field, such as a destination field, as suggested by Edgar, that the inventor desired in order to better organize, search and retrieve information about pending tasks.

It would have been obvious to one of ordinary skill at the time the invention was made to have modified Heumoeller by inferring a destination of a user based on a user's schedule, as was disclosed by Edgar, to allow Heumoeller to notify users of pending tasks relevant to the destination of the user. Such a modification would allow for notification of a user of multiple pending tasks located at the same destination, allowing the user to plan accordingly and minimize travel logistics between pending tasks.

It is old and well known in the art that in order to maximize time management and minimize travel to combine similar or subsequent tasks such as being reminded to meet with Client A in New York City when the user travels to New York City to meet with Client B, as evidenced by Anonymous ("One simple programming for getting more done in less time is to collect similar tasks and do them all in a single sitting." – see abstract). Such a reminder would necessitate inferring destination of a user based on a user' schedule in order to search and notify user of pending tasks relevant to the destination of the user.

Neither Hoemueller, Anonymous nor Edgar teach that the search and notification of pending tasks relevant to the inferred destination is automatic. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have automated the method, since it has been held that broadly providing a mechanical or automatic means to replace manual activity that accomplishes the same result involves only routine skill in the art. *In re Venner*, 120 USPQ 192.

It is old and well known in the art that software applications are programmed to generate alerts and dialog boxes upon termination or shutdown of the application such as with Windows 95 and Microsoft 97, as evidenced by Cooper ("The SAVE dialog is forced on all users when they ask to close the document or to QUIT or EXIT the program." – see page 88).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Huemoeller by incorporating an alert, as is disclosed by Cooper, to generate a notification of a pending task upon terminating the apparatus in the same manner as existing software generates a notification to save a document upon terminating the apparatus, to ensure that user does not forget a pending task after terminating the apparatus.

Regarding Claim 17, further method claim would have been obvious from apparatus claim, Claim 7, rejected above and is therefore rejected using the same art and rationale.

Claims 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huemoeller in view of Vincent (US Patent 5,050,077), Cooper and Anonymous.

Regarding Claim 9, Huemoeller discloses an information-processing apparatus comprising:

- a receiver that receives an ending instruction from a user for instructing the apparatus to terminate (exit) a use of the apparatus (program) by the user. ("The user can then communicate via a telephone device (not

shown) associated with the user display terminal PC <u>or can exit this</u>

<u>program</u> and communicate via keyboard communication using other

software as is well known in the art." – see col. 8, lines 31 – 34 – It is

inherent that a receiver can receive an ending instruction from a user if a

user can terminate the apparatus);

- a search unit that searches for a pending task relevant to the description

    of the user. (see figure 5); and

- a notifier that notifies the user of the pending task relevant to the

    description of the user. (see figure 5 – It is inherent that a notifier notifies

    the user of the pending task relevant to the description of the user

    following the search).

Huemoeller does not teach an information-processing apparatus comprising:

- <u>an inferring unit that infers a person with whom the user is scheduled to</u>

    <u>meet based on a user's schedule when said receiver receives the ending</u>

    <u>instruction from the user;</u>

- a search unit that searches for a pending task <u>relevant to the person with</u>

    <u>whom the user is scheduled to meet when said receiver receives the</u>

    <u>ending instruction from the user;</u> and

- a notifier that notifies the user of the pending task <u>relevant to the person</u>

    <u>with whom the user is scheduled to meet</u>.

Vincent discloses an information-processing apparatus comprising:

- a pending task (meeting) relevant to the person to whom the user is scheduled to meet (attendees). ("A prompting screen is presented to a meeting scheduler with blanks for keying in desired times, dates, and prospective attendees for a meeting." – see abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the description field, as disclosed by Huemoeller, to allow for any data field, such as an attendee field, as suggested by Vincent, that the inventor desired in order to better organize, search and retrieve information about pending tasks.

It is old and well known in the art that in order to maximize time management and to combine similar tasks such as being reminded to ask Sam about Project X, which was originally planned for 3pm, at your noon meeting with Sam concerning Project Y, as evidenced by Anonymous ("One simple programming for getting more done in less time is to collect similar tasks and do them all in a single sitting." – see abstract). Such a reminder would necessitate inferring a person whom the user is scheduled to meet based upon the user's schedule in order to search and notify user of pending tasks relevant to the person with whom the user is scheduled to meet.

Neither Hoemueller, Anonymous nor Vincent teach that the search and notification of pending tasks relevant to the inferred person with whom the user is scheduled to meet is automatic. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have automated the method, since it has been held that broadly providing a mechanical or automatic means

to replace manual activity that accomplishes the same result involves only routine skill

in the art. *In re Venner*, 120 USPQ 192.

It is old and well known in the art that software applications are programmed to

generate alerts and dialog boxes upon termination or shutdown of the application such

as with Windows 95 and Microsoft 97, as evidenced by Cooper ("The SAVE dialog is

forced on all users when they ask to close the document or to QUIT or EXIT the

program." – see page 88).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to have modified Huemoeller by incorporating an alert, as is

disclosed by Cooper, to generate a notification of a pending task upon terminating the

apparatus in the same manner as existing software generates a notification to save a

document upon terminating the apparatus, to ensure that user does not forget a

pending task after terminating the apparatus.

Regarding Claim 19, further method claim would have been obvious from

apparatus claim, Claim 9, rejected above and is therefore rejected using the same art

and rationale.

Claims 23, 28 and 32 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Huemoeller in view of Anonymous.

Regarding Claim 23, Hoemueller discloses an information-processing apparatus

comprising:

- a schedule storage, for storing a plurality of pending tasks. ("...storing

  data indicative of said schedule for said plurality of events in a memory..."

  – see Claim 24);

- an entry adder, that adds a new task to said schedule storage. (see figure

  4);

- a search unit that searches said schedule storage for a previously

  scheduled pending task. (see figure 5); and

- a notifier (alarm) that notifies a user of the pending task relevant to the

  new task (see col. 6, lines 35 – 38).

Hoemueller does not teach an information-processing apparatus comprising:

- a search unit that searches said schedule storage for a previously

  scheduled pending task relevant to the new task when said entry adder

  adds the new task; and

- a notifier that notifies a user of the pending task relevant to the new task.

It is old and well known in the art that in order to maximize time management and

minimize travel to combine similar or subsequent tasks such as being reminded to meet

with Client A in New York City when the user travels to New York City to meet with

Client B, as evidenced by Anonymous ("One simple programming for getting more done

in less time is to collect similar tasks and do them all in a single sitting." – see abstract).

Neither Hoemueller nor Anonymous teach that the search and notification of

pending tasks relevant to the new task. However, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to have automated the

method, since it has been held that broadly providing a mechanical or automatic means

to replace manual activity that accomplishes the same result involves only routine skill

in the art. *In re Venner*, 120 USPQ 192.

Regarding Claim 28, further method claim would have been obvious from

apparatus claim, Claim 23, rejected above and is therefore rejected using the same art

and rationale.

Regarding Claim 32, further program claim would have been obvious from

apparatus claim, Claim 23, rejected above and is therefore rejected using the same art

and rationale.

Claims 24 - 26 and 29 – 31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Huemoeller in view of Anonymous, as applied to Claims 23 and 28

above, and in further view of Edgar and Vincent.

Regarding Claims 24 – 26, Huemoeller discloses an information-processing

apparatus wherein:

- said search unit searches a pending task relevant to the description of the
  user. (see figure 5)

Huemoeller does not teach an information-processing apparatus wherein:

- said search unit searches a pending task <u>relevant to a location where the
  new task is to performed</u>;
- said search unit searches a pending task <u>relevant to a person related to
  the new task</u>; and

- said search unit searches a pending task <u>to be performed subsequent to the new task.</u>

Edgar discloses an information-processing apparatus comprising:

- a pending task (appointment) relevant to a location (specified region). ("An appointment server is provided for offering appointments at specified times, using the table to check for availability of operatives in specified regions at specified times, and for inserting new jobs in the routes to reflect booked appointments." – see abstract – It is inherent that the system links a location to the pending).

Vincent discloses an information-processing apparatus comprising:

- a pending task (meeting) relevant to the person to whom the user is scheduled to meet (attendees). ("A prompting screen is presented to a meeting scheduler with blanks for keying in desired times, dates, and prospective attendees for a meeting." – see abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the description field, as disclosed by Huemoeller, to allow for any data field, such as a destination and attendee field, as suggested by Edgar and Vincent, respectively, that the inventor desired in order to better organize, search and retrieve information about pending tasks.

Furthermore, it is old and well known in the art that in order to maximize time management and minimize travel to combine similar or subsequent tasks such as being reminded to meet with Client A in New York City when the user travels to New York City

to meet with Client B, as evidenced by Anonymous ("One simple programming for getting more done in less time is to collect similar tasks and do them all in a single sitting." – see abstract).

Neither Hoemueller, Vincent, Edgar nor Anonymous teach that the search and notification of pending tasks relevant to the location of a new task, a person related to a new task or to a task to be performed subsequent to the new task is automatic. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have automated the method, since it has been held that broadly providing a mechanical or automatic means to replace manual activity that accomplishes the same result involves only routine skill in the art. *In re Venner*, 120 USPQ 192.

Regarding Claims 29 - 31, further program claim would have been obvious from apparatus claims, Claim 29 - 31, rejected above and is therefore rejected using the same art and rationale.

Response to Arguments

Applicant's arguments with respect to Claims 5, 7, 9, 15, 17, 19, 21, 23 – 26 and 28 -32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references cited to Vincent (US Patent 5,050,077) and this

reference is considered to be relevant to the claimed invention due to its reference to a meeting calendar system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Borlinghaus whose telephone number is (571) 272-6924. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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